IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 6988 of 2007(F)

PETITIONER:

K.K. VIJAYAN,
PEON, REGIONAL TRANSPORT OFFICE, KASARGOD.

BY ADV. SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU

RESPONDENTS:

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1. THE TRANSPORT COMMISSIONER, TRIVANDRUM.

2. THE REGIONAL TRANSPORT OFFICER,
KASARGOD.

3. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
MOTOR TRANSPORT DEPARTMENT, SECRETARIAT,TRIVANDRUM

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No.6988 OF 2007 F
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Dated this the 2nd March, 2007

J U D G M E N T

The petitioner is working as Peon in the Regional Transport Officer, Kasaragod. He applied for leave without allowances from 1-2-2003 to 3-11-2003 on medical grounds. Inspite of the fact that the leave was applied and medical certificate in support of the ground for leave was submitted before the competent authority, no decision has been taken on the request for sanction of leave. Delay in passing orders on the leave application affects the petitioner prejudicially as he is not able to work out his other service benefits. Having waited for some time, the petitioner has submitted a representation evidenced by Ext. P2 addressed to respondents 1 and 3.

2. Counsel for the petitioner submits that this Court may direct the 1st respondent to pass orders on the application for leave submitted by the petitioner as early as possible. In fact, that is the request made by the petitioner in Ext. P2 also.

3. I have heard Govt. Pleader also.

4. I think it may not be proper for the 1st respondent or for that matter any of the subordinate officers to keep the leave application pending for long. Decision will have to be taken on the request for sanction of leave without further delay. Hence, the writ petition is disposed of directing the 1st respondent to consider Ext. P2, pass orders on the application for leave and communicate the same to the petitioner as early as possible, in any event, within six weeks from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for information and compliance.

K.K. DENESAN
JUDGE

jan/